



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

SC-5J

MAR 15 2013

CERTIFIED MAIL 7009 1680 0000 7678 2913

RETURN RECEIPT REQUESTED

BNSF Railway Company
Daley, Mohan, Groble, PC.
55 West Monroe, Suite 1600
Chicago, Illinois 60603
Attention: Pamela Nehring, Attorney at Law

Re: Supplemental Request for Information Pursuant to Section 104 of CERCLA for
Wedron Groundwater Contamination Site in Wedron, La Salle County, Illinois
Site Spill Identification Number: C5B8

Dear Ms. Nehring:

This letter seeks BNSF Railway Company's (BNSF's) further cooperation in providing information and documents relating to the contamination of the Wedron Groundwater Contamination Site (WGCS) in Wedron, Illinois. The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. §§ 9601-9675, commonly referred to as "CERCLA" and "Superfund" gives EPA the authority to, among other things: (1) assess contaminated sites, (2) determine the threats to human health and the environment posed by each site and (3) clean up those sites in the order of the relative threats posed by each.

EPA is responding to the release or threat of release of hazardous substances, pollutants or contaminants at the WGCS. On July 24, 2012 EPA sent BNSF (you) a request for information pursuant to Section 104 of CERCLA. As a result of obtaining new information and after reviewing information submitted to EPA by BNSF on August 27, 2012 EPA believes that you might have additional information that may assist the Agency in its efforts. EPA is seeking additional information from you concerning the release, generation, storage, treatment, transportation and methods used to dispose of hazardous substances, pollutants or contaminants at the WGCS related to your former business operations in Wedron, Illinois. In addition, EPA is identifying activities, materials and parties that contributed to contamination at the WGCS.

EPA determined that the presence of hazardous substances discovered at the WGCS posed a threat to human health and the environment. The substance benzene was detected significantly

above drinking water maximum contaminant levels (MCLs) in samples collected from several residential drinking water wells in Wedron, Illinois. Benzene and additional contaminants, including toluene, ethylbenzene, xylenes, and isopropylbenzene, were detected in soil samples and in some drinking water wells. Other contaminants that have been detected in drinking water wells and in soil samples include naphthalene, dichloroethane, diethyldisulfide, methylnaphthalene, and methylindene. EPA is currently using public funds to perform the WGCS investigation.

We encourage you to give this matter your immediate attention and request that you provide a complete and truthful response to this Information Request and enclosed questions (Enclosure B) within 15 calendar days of your receipt of this letter.

Information Request

Under Section 104(e)(2) of CERCLA, 42 U.S.C. § 9604(e)(2), EPA has broad information gathering authority which allows EPA to require persons to furnish information or documents relating to:

- (a) The identification, nature and quantity of materials which have been or are generated, treated, stored or disposed of at a vessel or facility or transported to a vessel or facility.
- (b) The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility.
- (c) Information relating to the ability of a person to pay for or to perform a cleanup.

While EPA seeks your cooperation in this investigation, compliance with the Information Request is required by law. Please note that false, fictitious or fraudulent statements or representations may subject you to civil or criminal penalties under Federal law.

Some of the information EPA is requesting may be considered by you to be confidential. Please be aware that you may not withhold the information upon that basis. If you wish EPA to treat the information confidentially, you must advise EPA of that fact by following the procedures outlined in Enclosure A, including the requirement for supporting your claim for confidentiality.

If you have information about other parties who may have information that may assist the Agency in its investigation of the WGCS or may be responsible for the contamination at the WGCS, that information should be submitted within the time frame noted above.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. § 3501 *et seq.*

Instructions on how to respond to the questions in Enclosure B to this document are described in Enclosure A. Your response to this Information Request should be mailed to:

Mila Bensing
U.S. Environmental Protection Agency
Superfund Division
Enforcement and Compliance Assurance Branch
Enforcement Services Section 1, SE-5J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

If you have additional questions about the history of the Site, the nature of the environmental conditions at the WGCS or the status of cleanup activities, please contact Steve Faryan, On-Scene Coordinator at (312) 353-9351 or Jacqueline Clark, Associate Regional Counsel at (312) 353-4191. However, if you have specific questions about the Information Request, please contact Mila Bensing, Enforcement Specialist, at (312) 353-2006.

We appreciate and look forward to your prompt response to this Information Request.

Sincerely,



Sharon Jaffess, Chief
Enforcement & Compliance Assurance Branch

Enclosures